

### **REMARKS**

Claims 4-23 and 25-47 are currently pending in the application. By this amendment, claim 23 has been amended. Applicant thanks Examiner for the indication that claims 4-22 and 27-45 are allowed. The foregoing separate sheets marked as "Listing of Claims" show all the claims in the application, with an indication of the current status of each.

#### **Claim Rejections under 35 USC §102(b)**

Claims 23 and 26 stand rejected under 35 USC §102(b) as anticipated by Royer et al. (hereafter Royer). Applicant has hereby amended claim 23 and submits that this amendment clearly distinguishes the subject matter of claims 23 and 26 from that of Royer.

As described in the response filed on October 12, 2004, Royer teaches a technique for inputting Japanese letters using a standard telephone keypad. (See for example, the title; the abstract; and column 1, line 51. In particular, column 2, lines 3-6 state "The telephone instrument 10 also includes a keypad 20 having a set of twelve keys arranged in a manner that is conventional to most telephone instruments. Additionally included with the keypad is a set of nine keys arranged in a manner that is conventional to many cellular telephone instruments." The next lines of this same paragraph continue to describe the disposition of the Japanese letters with respect to the twelve conventional keys. "The arrangement of the twelve keys includes labeling that is partly conventional and partly novel, the novel part being an aspect of the present invention. The conventional labeling includes labeling the keys in numerical order (left to right, top to bottom): 1, 2, 3, 4, 5, 6, 7, 8, 9, \*, 0, #. The novel part of the labeling includes a symbol from the kata-kana matrix disposed adjacent to each key labeled with one of the numbers..." In other words, in the invention of Royer, the kata-kana symbols are associated with ("disposed adjacent to" keys of the conventional, known keypad. The disposition is illustrated in Figure 1, where the association can be viewed, and where, for example, the symbol "A" is disposed adjacent to key #1, "KA" is disposed adjacent to key #2, etc. This arrangement works because, fortuitously, Japanese pronunciation (which the kata-kana symbols represent) includes 50 basic sounds, and the kata-kana symbols corresponding to the sounds can be completely described when arranged in a matrix of 10 columns (which represent all 10 consonant sounds) and five rows (which represent all five vowel sounds). On a conventional keypad, the ten 0-9 keys can be associated with the 10 consonant sounds, and the five vowel sounds can be represented by some

means which allows scrolling through the five choices after one consonant sound is chosen. In the invention of Royer, a consonant sound is initially selected by hitting the key corresponding to the consonant, and then successive hits on the same key scroll through the choice of five vowels. The final choice is registered by depression of another function key on the keyboard (see column 3, lines 43-45). In an alternative embodiment, a separate “rocker” key is used. Repeated depression of the key in one direction (either left or right, depending on the programming) selects and scrolls through consonants, and repeated depressions of the key in the other direction scrolls through vowels (column 4, lines 11-14), allowing the user to, after repeated hits, arrive at the combination of consonant and vowel that represents the desired symbol. As many as 15 successive hits may be required to arrive at a desired symbol (column 4, line 5).

In contrast, the method of claim 23 of the present application does not involve association of letters and symbols with the keys of a conventional keypad. Rather, the present invention provides a totally different mode of selecting symbols, for example, those associated with the kana-kata phonetic system. In the present invention, symbols are disposed in the form of one or more concentric circles, where a position on the circumference of a circle corresponds to a letter or symbol. The device utilized to operate in such a system is depicted in Figure 1, which shows a “stick or like pointer” (page 16, lines 28) **capable of moving from the center of a circle outward along one of several directions to a point on the circumference.** The direction that is selected corresponds, for example, to a consonant sound of the kata-kana symbol system. The pointer is then moved along the circumference to one of several possible positions on the circumference, each of which corresponds to, for example, a vowel sound of the kata-kana symbol system. Thus, by positioning the pointer at a particular coordinate on the circumference of a circle, a symbol (composed of one consonant and one vowel sound) can be designated, the consonant corresponding to the direction of movement from the center of the circle, and the vowel corresponding to the position along the circumference of the circle. The coordinates are of course predetermined by dividing the circle into a convenient number of sectors in order to provide the requisite number of coordinates to accommodate the symbol system being represented.

Applicant submits that at no point in the disclosure provided by Royer is the arrangement of letters/symbols in the form of concentric circles either shown or discussed. Rather, as

discussed above, Royer associates letters/symbols with the 0-9 keys of a conventional key pad which is clearly not a “concentric circle form”. No disposition of letters/symbols in a concentric circle form, as is required by claim 23, is shown or discussed by Royer, and indeed is not necessary and would not even be possible in that method. No inputting of letters/symbols by designating coordinates on a concentric circle form, as required by claim 23 of the present invention, is shown or discussed by Royer. Again, such a step would be pointless and nonsensical in the context of the method of Royer, in which the letters/symbols are instead linked to multiple depressions of a 0-9 key of a conventional keypad, or to a two-position rocker key.

Examiner states that regarding the argument made by Applicant that Royer does not disclose a “stick of like pointer capable of moving from the center of a circle outward along one of several directions to a point on the circumference”, Applicant relies on this feature, but that this feature is not recited in claim 23 or claim 26. Claim 23 has hereby been amended to recite that the position input device recited in claim 23 is capable of moving from a center of the concentric circle form outward along one of several directions to a point on the circumference of the concentric circle form. Applicant submits that this distinguishing feature is now recited in claim 23, and that claim 23 and dependant claim 26 are thus allowable.

In view of the foregoing, Applicant respectfully requests reconsideration and allowance of claims 23 and 26.

#### **Formal Matters and Conclusion**

In view of the foregoing, it is requested that the application be reconsidered, that claims 4-23 and 25-45 of the present application be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at 703-787-9400 (fax: 703-787-7557; email: ruth@wcc-ip.com) to discuss any other changes deemed necessary in a telephonic or personal interview.

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Whitham', written in a cursive style.

Michael E. Whitham

Reg. No. 32,635

Whitham, Curtis & Christofferson, P.C.  
11491 Sunset Hills Road, Suite 340  
Reston, VA 20190  
703-787-9400  
703-787-7557 (fax)  
Customer number: 30743